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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

RONNIE JONES and MELECIO ARCIOSA,
 individually and on behalf of all others similarly
 situated,

Plaintiffs,

v.

FORESIGHT MANAGEMENT SERVICES,
 LLC and JEREMY GRIMES,

Defendants.

Case No. CV-08-00938JL

**PLAINTIFFS RONNIE JONES' AND
 MELECIO ARCIOSA'S AND
 DEFENDANTS FORESIGHT
 MANAGEMENT SERVICES, LLC's
 AND JEREMY GRIMES' UPDATED
 JOINT CASE MANAGEMENT
 STATEMENT**

Complaint Filed: 2/14/2008
 Trial Date: None Set



Pursuant to this Court's Order Setting Initial Case Management Conference, Civil Local Rule 16-9 and the Standing Order, Plaintiffs Ronnie Jones and Melecio Arciosa ("Plaintiffs") and Defendants Foresight Management Services, LLC ("FMS") and Jeremy Grimes (jointly "Defendants") (collectively referred to as the "Parties"), by and through their respective counsel, submit the following Joint Case Management Conference Statement.

A. Facts/Description of the Case

On February 14, 2008, Plaintiffs Ronnie Jones and Melecio Arciosa filed a class action complaint in the U.S. District Court for the Northern District of California, alleging Labor Code violations, FLSA violations, California Business & Professions Code §17200 et seq. violations, unfair competition and Wrongful Termination in Violation of Public Policy of Plaintiff Ronnie Jones. Plaintiffs seek to represent a class of "all natural persons who were issued one or more paychecks by FMS in California during the period beginning four years prior to the filing of th[e] Complaint," or February 14, 2004, to the present.

B. Procedural Status

The parties engaged in initial discovery, with a primary focus on reaching a settlement. The discovery conducted included the depositions of Plaintiff Jones, Defendant Jeremy Grimes, and defense witnesses Ezekial Griffin II and Bayinnah Moore. In addition, Defendant FMS provided the following documents to Plaintiffs: Plaintiffs' personnel files, treatment authorization requests (TARS), Plaintiffs' pay history reports, Plaintiffs' punch detail reports (records of hours worked), and the punch detail reports of 32 selected employees.

FMS provided Plaintiffs with the punch detail reports of a select number of employees during the class period to allow for the calculation of unpaid overtime for the sample. Defendants provided to Plaintiffs lists of employees from the five FMS-owned facilities, starting at the beginning of the class period. Plaintiffs' expert selected a random sample of employees from these lists for whom Defendants collected the punch detail reports. On December 31, 2008, Defendants provided to Plaintiffs the punch detail reports of 32 employees. The parties calculated the unapproved and unpaid overtime in this employee sample to arrive at an estimated amount to discuss at the settlement conference.



On January 15, 2009, at the third settlement conference with Judge Brazil, the parties settled the entire matter, including Plaintiff Ronnie Jones' individual wrongful termination claim which has since been dismissed with prejudice.

Plaintiffs have filed their Motion for Conditional Certification of Settlement Class, Preliminary Approval of Class Action Settlement, and Appointment of Claims Administrator ("Motion"). Defendants do not oppose Plaintiffs' Motion. The parties are prepared to move forward with the proposed calendar set forth in Plaintiffs' Motion upon the Court's conditional certification of the class, preliminary approval of the class action settlement, and appointment of the Claims Administrator.

In light of Court clerk's inquiry regarding whether or not the hearing on Plaintiffs' Motion should be vacated, and the fact the parties have reached a settlement, the parties agree that the hearing on Plaintiffs' Motion for July 29, 2009 can be vacated. Plaintiffs will file a Proposed Order Granting their Motion, which Defendants approve, on July 16, 2009. Finally, unless the Court requires the appearance of the parties at the Case Management Conference, the parties stipulate that the Conference is no longer necessary and may also be vacated upon the Court's approval.

Dated: July 15, 2009

HARRIS & RUBLE

By: /s/ Alan Harris

Alan Harris
David Zelenski
Attorneys for Plaintiffs
RONNIE JONES and MELECIO ARCIOSA

Dated: July 15, 2009

NORTH BAY LAW GROUP

SO ORDERED


JAMES LARSON
U.S. MAGISTRATE JUDGE

By: /s/ David S. Harris

David S. Harris
Attorney for Plaintiffs
RONNIE JONES and MELECIO ARCIOSA



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Dated: July 15, 2009

JACKSON LEWIS LLP

By: /s/ Anne V. Leinfelder

Robert M. Pattison
Anne V. Leinfelder
Attorneys for Defendants
FORESIGHT MANAGEMENT SERVICES,
LLC and JEREMY GRIMES

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